

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KEVIN BRATHWAITE

Plaintiff,

v.

MARCELLO RISPOLI, et al.,

Defendants.

C. A. No. 04-1542-GMS

AFFIDAVIT OF GREGORY TURNER

Correctional Officer Gregory Turner having been duly sworn according to law, deposes and states as follows:

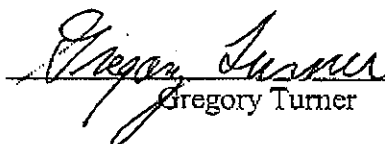
1. I am employed by the State of Delaware, Department of Correction ("DOC") at the Delaware Correctional Center ("DCC") Smyrna, Delaware as a Correctional Officer. I commenced employment on December 27, 2001. Among my responsibilities are supervising inmates within a security location, making counts at specified time periods to assure inmate location and custody, conducting searches and shakedowns for prohibited items and contraband and escorting inmates to and from activities and work assignments. Additional duties include observing inmate activities to detect unusual or prohibited behavior which may be a threat to the security of the facility, the safety of the inmates, employees or visitors.

2. I make this affidavit based upon my personal knowledge.

3. On October 9, 2004, a little after 9:00 AM I responded to a call for back-up assistance from Sgt. Wallace in Building 17. Inmate Kevin Brathwaite had been

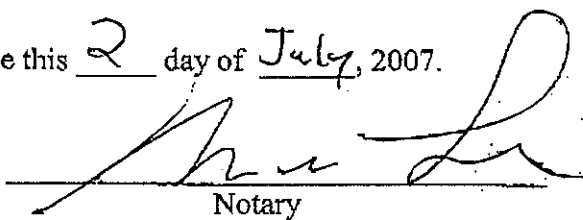
Exh. A

uncooperative during a shakedown which led Sgt. Wallace to capstun him. In an attempt to remove him from his cell he continued to be confrontational which resulted in Brathwaite being taken to the ground handcuffed and shackled. After Brathwaite was subdued by the officers he was transferred to Building 20.



Gregory Turner

SWORN TO AND SUBSCRIBED before me this 2 day of July, 2007.



Notary